

U.S. DISTRICT COURT
DISTRICT OF VERMONT

EARLY NEUTRAL EVALUATION (ENE)
MEDIATION PROGRAM

The specific type of Alternative Dispute Resolution (ADR) program in effect for the District of Vermont is Early Neutral Evaluation (ENE). The rules and procedures governing Vermont's program are detailed by [Local Rule of Procedure 16.3](#). Similar to most ADR or mediation programs in use by other federal courts, the purpose of Vermont's ENE program is to reduce cost, delay and potential litigation faced by the parties.

Under ENE, after an opportunity for limited discovery, litigants meet with an impartial, neutral evaluator selected by the parties. The evaluator is an experienced attorney knowledgeable in the subject matter being litigated. The parties are required to submit a report outlining their respective positions to the evaluator. After reviewing the reports, the evaluator meets with the parties and discusses the merits of the case including the strengths and weaknesses of the party's positions. The evaluator is then responsible for submitting a short report to the Court summarizing the outcome of the evaluation session. Pursuant to the need for confidentiality, the evaluator does not disclose or include in the report any professional opinion or assessment which may be provided to the parties or the contents of any substantive matters which are discussed during the ENE session. After proceeding through the ENE process, in many instances, the parties agree to settle the case prior to judicial involvement. For those cases which do not settle, the evaluator is in a position to assist the Court in clarifying discovery issues and to possibly narrow the scope of the dispute.

Vermont's ENE program has been in operation since 1994. The Court's [ENE Panel](#) is currently comprised of 50 experienced evaluators. The district court's [ENE Administrator](#) is Lisa A. Wright. Under Vermont's program, certain bankruptcy matters – when designated by the bankruptcy judge – are also eligible for the ENE process. The bankruptcy court's ENE Administrator is Terri Satterlee.

[Evaluator Panel](#)

[Annual ENE Reports](#)

[Local Rule 16.3](#)

[Contact the ENE Administrator](#)